

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)**

Subsection 35 U.S.C. § 132, effective on May 29, 2000,
Provides for continued examination of a utility or plant
Application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 10/770,642
Filing Date: February 3, 2004
First Named Inventor: Peter C. McNulty
Group Art Unit: 2878
Examiner Name: Thanh X. Luu
Attorney Docket Number: 923.0003USU
CUSTOMER NO.: 27,623

RCE FPD

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

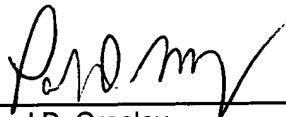
Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - a. **Previously submitted**
 - i. Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed filed on _____
 - iii. Other _____
 - b. **Enclosed**
 - i. **XXXX** Amendment/Reply with transmittal
 - ii. **XXXX** Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS) and PTO-1449
 - iv. **XXXX** Other Resubmission of English Translation of DE 37 44 128 (previously submitted on 17 March 2005)
2. **Miscellaneous**
 - a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
 - b. Other _____
3. **Fees** The RCE fee Under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.
 - a. **XXXXX** The Director is hereby authorized to charge any deficiency in fees, or credit any overpayments to Deposit Account No. **01-0467**.
 - i. **XXXXXX** RCE fee (\$790.00) required under 37 C.F.R. §1.17(e)
 - ii. Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Other _____
 - b. **XXXXXX** Check in the amount of **\$790.00 (RCE fee)** enclosed

June 20, 2006
Date of Signature

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:
Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 20, 2006.

Michelle M Bombino
NAME


SIGNATURE

6/20/06

DATE